

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

Case No. 8:03-CR-77-T-30TBM

v.

SAMI AMIN AL-ARIAN, et al.,

Defendants.

_____ /

MOTION FOR LEAVE TO FILE MOTION
UNDER SEAL AND EXPARTE

Counsel for Dr. Al Arian respectfully requests leave to file under seal and ex parte the motions previously discussed in camera at the status conference before this Honorable Court on January 6, 2006. As grounds in support thereof, counsel states:

1. Because of the intense public and political scrutiny devoted to this case and to avoid any prejudice to Dr. Al Arian, counsel would request permission to file the motion under seal and ex parte.
2. During the status conference of January 6, 2006, this Honorable Court approved an oral request for counsel to file said motion under seal.
3. In order to protect privileged communications between counsel and Dr. Al-Arian, it is requested that said motion and any hearing ordered as a result would be filed and heard in camera and ex parte.

WHEREFORE, counsel for Dr. Al-Arian requests permission to file previously referenced motion under seal.

Dated: January 13, 2006

Respectfully submitted,

/s/Linda Moreno
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13 day of January, 2006, a true and correct copy of the foregoing has been furnished, by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Kevin Beck, Assistant Federal Public Defender, M. Allison Guagliardo, Assistant Federal Public Defender, counsel for Hatim Fariz.

/s/ Linda Moreno
Linda Moreno
Attorney for Sami Al-Arian